



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2162

DATE SCANNED 10-5-11

SCANNER NO. 2

SCAN OPERATOR CMW

11092670445



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION COMMISSION  
SECRETARIAT

2010 SEP 14 A 10:15

September 13, 2010

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: ALEC PALMER  
ACTING STAFF DIRECTOR *AP*

FROM: PATRICIA CARMONA *PC for PC*  
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

BY: NATALIYA IOFFE/SARI PICKERALL *Nus*  
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2010 JULY  
QUARTERLY REPORT FOR THE ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2010 July Quarterly Report in accordance with 2 U.S.C. § 434(a). The July Quarterly Report was due on July 15, 2010.

The committees listed in the attached RTB Circulation Report filed the report more than five (5) days after the due date or failed to file the report. In accordance with the schedule of civil money penalties for reports at 11 CFR § 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. § 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

11092670446

Federal Election Commission  
Reason to Believe Circulation Report  
2010 JULY QUARTERLY Not Election Sensitive 07/15/2010 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2155	C00467365	AMODEI FOR NEVADA	AMODEI, MARK EUGENE	NICOLA NEILON	\$166,585	0		Not Filed	\$55,528 (est)	\$2,970
2156	C00470963	BURTON FOR CONGRESS	BURTON, ROBERT	ROBERT CLAUHS	\$230,380	0	8/1/2010	17	\$18,012	\$195
2157	C00465120	CARLOS MAY FOR CONGRESS	MAY, CARLOS ANDREW	BEN ROEGER	\$164,784	0	7/21/2010	6	\$26,366	\$320
2158	C00469833	CITIZENS TO ELECT ROBERT MARSHALL	MARSHALL, ROBERT ALAN	ROBERT MARSHALL	\$217,179	1		Not Filed	\$54,295 (est)	\$3,712
2159	C00464412	COMMITTEE TO ELECT CHICK HEILESON TO CONGRESS	HEILESON, CHICK	CORBET R. MISKIN	\$254,203	0	8/27/2010	Not Filed	\$49,612	\$990
2160	C00471797	COMMITTEE TO ELECT MARK REES	REES, MARK ROBERT	MARK ROBERT REES	\$125,324	0		Not Filed	\$41,775 (est)	\$990
2161	C00462929	COMMITTEE TO ELECT RODERICK VEREEN FOR CONGRESS	VEREEN, RODERICK D	CHUCK MOGBO	\$154,287	0	7/24/2010	9	\$23,166	\$155
2162	C00468728	COREY DABNEY FOR THE UNITED STATES SENATE 2010	DABNEY, COREY	MARK LINGLE	\$216,359	0	8/4/2010	20	\$111,444	\$3,160
2163	C00470179	DR DAN 4 CONGRESS	EICHENBAUM, DAN	BRIAN UMBARGER	\$233,049	1		Not Filed	\$77,683 (est)	\$4,812
2164	C00208819	EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - FEDERAL		WILLIAM J. WEIR	\$999,035	0	9/10/2010	Not Filed	\$663,847	\$10,500
2165	C00468894	ERIC WNUCK 2010	WNUCK, ERIC	ERIC WNUCK	\$338,593	0		Not Filed	\$112,864 (est)	\$4,950
2166	C00458901	FRIENDS OF BROSE MCVEY	MCVEY, BROSE ALLEN	KAREN E ARLAND	\$463,751	0	8/16/2010	Not Filed	\$45,772	\$990
2167	C00463653	FRIENDS OF STEVEN WELCH	WELCH, STEVEN D	JEFFREY MICHAEL SPARLING	\$1,600,270	0		Not Filed	\$533,423 (est)	\$10,450
2168	C00462325	GALYEAN FOR CONGRESS	GALYEAN, JAMES D	CHRISTOPHER STEWART CAULEY	\$273,846	0		Not Filed	\$68,462 (est)	\$2,970
2169	C00477943	GUNNER DELAY FOR CONGRESS	DELAY, ROBERT GUNNER	MICHAEL DAVID COLLINS	\$153,356	0		Not Filed	\$76,678 (est)	\$3,850
2170	C00354613	INT LONGSHOREMENS ASSOC (ILA) LOCAL 1291 POLITICAL ACTION COMMITTEE		MARTIN MASCUILLI	\$113,995	1	7/22/2010	7	\$21,443	\$181

11092670448

9/13/2010 3:51 PM

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2171	C00233049	LABORER'S INTERNATIONAL UNION OF NO AMERICA LOCAL NO 17 POLITICAL LEAGUE		JOSEPH R. LIBONATI	\$103,366	0	7/29/2010	14	\$7,750	\$125
2172	C00426320	LIBERTARIAN PARTY OF INDIANA		TODD SINGER	\$163,890	1	7/29/2010	14	\$31,621	\$600
2173	C00446468	LYNCH FOR CONGRESS	LYNCH, EDWARD J	EDWARD LYNCH	\$223,336	2		Not Filed	\$37,223 (est)	\$1,485
2174	C00043463	MANUFACTURED HOUSING INSTITUTE PAC		RAE ANN BEVINGTON	\$192,689	0	8/13/2010	29	\$15,621	\$255
2175	C00419986	MONTEREY COUNTY DEMOCRATIC CENTRAL COMMITTEE FEDERAL		HELEN E. CARLIN	\$336,332	0	7/22/2010	7	\$46,115	\$340
2176	C00086348	NATIONAL ASSOCIATION FOR UNIFORMED SERVICES PAC		MICHAEL F. HARRIS	\$102,671	0	7/21/2010	6	\$49,471	\$320
2177	C00238204	PAKISTANI AMERICAN PUBLIC AFFAIRS COMMITTEE PAK-PAC		DR. PARVEZ SHAH	\$107,285	0	7/22/2010	7	\$14,386	\$145
2178	C00355784	ROBINSON COMMITTEE LLC	ROBINSON, JACK E	JACK E. ROBINSON	\$1,144,604	1	7/31/2010	16	\$4,018	\$131
2179	C00468173	ROBLAUER4CONGRESS.COM	LAUER, ROBERT LELE	ROB LAUER	\$254,622	0		Not Filed	\$127,311 (est)	\$4,950
2180	C00467712	SINGH FOR CONGRESS	SINGH, NAVRAJ	TIMOTHY J. DAVIS	\$415,771	0		Not Filed	\$138,590 (est)	\$4,950
2181	C00473603	STEVE CLARK FOR CONGRESS	CLARK, STEVE	RICK DIRKSE	\$1,234,993	0		Not Filed	\$617,497 (est)	\$11,000

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 Reason To Believe Recommendation - 2010 )  
 July Quarterly Report for the Administrative )  
 Fine Program: )  
 MANUFACTURED HOUSING ) AF# 2174  
 INSTITUTE PAC, and BEVINGTON, RAE )  
 ANN as treasurer; )  
 COREY DABNEY FOR THE UNITED ) AF# 2162  
 STATES SENATE 2810, and MARK )  
 LINGLE as treasurer; )  
 BURTON FOR CONGRESS, and ) AF# 2156  
 ROBERT CLAUHS as treasurer; )  
 ROBINSON COMMITTEE LLC, and ) AF# 2178  
 JACK E ROBINSON as treasurer; )  
 LABORER'S INTERNATIONAL UNION ) AF# 2171  
 OF NO AMERICA LOCAL NO 17 )  
 POLITICAL LEAGUE, and JOSEPH R )  
 LIBONATI as treasurer; )  
 LIBERTARIAN PARTY OF INDIANA, ) AF# 2172  
 and TODD SINGER as treasurer; )

---

COMMITTEE TO ELECT RODERICK ) AF# 2161  
 VEREEN FOR CONGRESS, and CHUCK )  
 MOGBO as treasurer; )  
 INT LONGSHOREMENS ASSOC (ILA) ) AF# 2170  
 LOCAL 1291 POLITICAL ACTION )  
 COMMITTEE, and MARTIN MASCUILLI )  
 as treasurer; )  
 MONTEREY COUNTY DEMOCRATIC ) AF# 2175  
 CENTRAL COMMITTEE FEDERAL, and )  
 HELEN E CARLIN as treasurer; )  
 PAKISTANI AMERICAN PUBLIC ) AF# 2177  
 AFFAIRS COMMITTEE PAK-PAC, and )  
 DR. FARVEZ SHAH as treasurer; )  
 CARLOS MAY FOR CONGRESS, and ) AF# 2157  
 ROEGER, BEN as treasurer; )  
 NATIONAL ASSOCIATION FOR ) AF# 2176  
 UNIFORMED SERVICES PAC, and )  
 HARRIS, MICHAEL F. as treasurer; )

11092670449

Federal Election Commission  
Certification for Administrative Fines  
September 15, 2010

Page 2

AMODEI FOR NEVADA, and NICOLA	)	AF# 2155
NEILON as treasurer;	)	
CITIZENS TO ELECT ROBERT	)	AF# 2158
MARSHALL, and ROBERT MARSHALL	)	
as treasurer;	)	
COMMITTEE TO ELECT CHICK	)	AF# 2159
HEILESON TO CONGRESS, and	)	
CORBET R MISKIN as treasurer;	)	
COMMITTEE TO ELECT MARK REES,	)	AF# 2160
and MARK ROBERT REES as treasurer;	)	
DR DAN 4 CONGRESS, and BRIAN	)	AF# 2163
UMBARGER as treasurer;	)	
EMPIRE STATE REGIONAL COUNCIL	)	AF# 2164
OF CARPENTERS POLITICAL ACTION	)	
FUND - FEDERAL, and WEIR, WILLIAM	)	
J as treasurer;	)	
ERIC WNUCK 2010, and ERIC WNUCK	)	AF# 2165
as treasurer;	)	
FRIENDS OF BROSE MCVEY, and	)	AF# 2166
KAREN E ARLAND as treasurer;	)	
FRIENDS OF STEVEN WELCH, and	)	AF# 2167
JEFFREY MICHAEL SPARLING as	)	
treasurer;	)	
GALYEAN FOR CONGRESS, and	)	AF# 2168
CAULEY, CHRISTOPHER STEWART as	)	
treasurer;	)	
GUNNER DELAY FOR CONGRESS, and	)	AF# 2169
MICHAEL DAVID COLLINS as treasurer;	)	
LYNCH FOR CONGRESS, and EDWARD	)	AF# 2173
LYNCH as treasurer;	)	
ROBLAUER4CONGRESS.COM, and	)	AF# 2179
LAUER, ROB as treasurer;	)	
SINGH FOR CONGRESS, and TIMOTHY	)	AF# 2180
J DAVIS as treasurer;	)	
STEVE CLARK FOR CONGRESS, and	)	AF# 2181
RICK DIRKSE as treasurer;	)	

11092670450

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on September 15, 2010 the Commission took the following actions on the Reason To Believe Recommendation - 2010 July Quarterly Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated September 13, 2010, on the following committees:

AF#2174 Decided by a vote of 6-0 to: (1) find reason to believe that MANUFACTURED HOUSING INSTITUTE PAC, and BEVINGTON, RAE ANN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2162 Decided by a vote of 6-0 to: (1) find reason to believe that COREY DABNEY FOR THE UNITED STATES SENATE 2010, and MARK LINGLE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2156 Decided by a vote of 6-0 to: (1) find reason to believe that BURTON FOR CONGRESS, and ROBERT CLAUHS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2178 Decided by a vote of 6-0 to: (1) find reason to believe that ROBINSON COMMITTEE LLC, and JACK E ROBINSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2171 Decided by a vote of 6-0 to: (1) find reason to believe that LABORER'S INTERNATIONAL UNION OF NO AMERICA LOCAL NO 17 POLITICAL LEAGUE, and JOSEPH R LIBONATTI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report;

11092670451

(2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2172 Decided by a vote of 6-0 to: (1) find reason to believe that LIBERTARIAN PARTY OF INDIANA, and TODD SINGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2161 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT RODERICK VEREEN FOR CONGRESS, and CHUCK MOGBO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2170 Decided by a vote of 6-0 to: (1) find reason to believe that INT LONGSHOREMENS ASSOC (ILA) LOCAL 1291 POLITICAL ACTION COMMITTEE, and MARTIN MASCUILLI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2175 Decided by a vote of 6-0 to: (1) find reason to believe that MONTEREY COUNTY DEMOCRATIC CENTRAL COMMITTEE FEDERAL, and HELEN E CARLIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2177 Decided by a vote of 6-0 to: (1) find reason to believe that PAKISTANI AMERICAN PUBLIC AFFAIRS COMMITTEE PAK-PAC, and DR. PARVEZ SHAH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

11092670452



AF#2157 Decided by a vote of 6-0 to: (1) find reason to believe that CARLOS MAY FOR CONGRESS, and ROEGHR, BEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2176 Decided by a vote of 6-0 to: (1) find reason to believe that NATIONAL ASSOCIATION FOR UNIFORMED SERVICES PAC, and HARRIS, MICHAEL F. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2155 Decided by a vote of 6-0 to: (1) find reason to believe that AMODEI FOR NEVADA, and NICOLA NEILON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2158 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS TO ELECT ROBERT MARSHALL, and ROBERT MARSHALL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2159 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT CHICK HEILESON TO CONGRESS, and CORBET R MISKIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2160 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT MARK REES, and MARK ROBERT REES as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2163 Decided by a vote of 6-0 to: (1) find reason to believe that DR DAN 4 CONGRESS, and BRIAN LIMBARGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

11092670453

AF#2164 Decided by a vote of 6-0 to: (1) find reason to believe that EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - FEDERAL, and WEIR, WILLIAM J as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2165 Decided by a vote of 6-0 to: (1) find reason to believe that ERIC WNUCK 2010, and ERIC WNUCK as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2166 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF BROSE MCVEY, and KAREN E ARLAND as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2167 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF STEVEN WELCH, and JEFFREY MICHAEL SPARLING as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2168 Decided by a vote of 6-0 to: (1) find reason to believe that GALYEAN FOR CONGRESS, and CAULEY, CHRISTOPHER STEWART as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2169 Decided by a vote of 6-0 to: (1) find reason to believe that GUNNER DELAY FOR CONGRESS, and MICHAEL DAVID COLLINS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2173 Decided by a vote of 6-0 to: (1) find reason to believe that LYNCH FOR CONGRESS, and EDWARD LYNCH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on

11092670454

the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2179 Decided by a vote of 6-0 to: (1) find reason to believe that ROBLAUER4CONGRESS.COM, and LAUER, ROB as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2180 Decided by a vote of 6-0 to: (1) find reason to believe that SINGH FOR CONGRESS, and TIMOTHY J DAVIS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2181 Decided by a vote of 6-0 to: (1) find reason to believe that STEVE CLARK FOR CONGRESS, and RICK DIRKSE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

September 15, 2010  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

11092670455



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 21, 2010

Mark Lingle, in official capacity as Treasurer  
Corey Dahney for the United States Senate 2010  
24 South Stolp Avenue  
Aurora, IL 60506

C00468728  
AF#: 2162

Dear Mr. Lingle:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a July Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through June 30, 2010, shall be filed no later than July 15, 2010. 2 U.S.C. § 434(a). You were previously notified of the due date for this report. Records at the Federal Election Commission ("FEC") indicate that this report was filed on August 4, 2010, twenty (20) days late.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On September 15, 2010, the FEC found that there is reason to believe ("RTB") that Corey Dabney for the United States Senate 2010 and you, as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before July 15, 2010. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$3,160. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$3,160 is due within forty (40) days of the finding, or by October 25, 2010, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$111,444  
Number of Days Late: 20  
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street,

Attachment 3

11092670456

NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or October 25, 2010. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

#### **1. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Corey Dabney for the United States Senate 2010 and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

**2. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen  
Chairman

---

**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$3,160 for the 2010 July Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The remittance and your payment are due by October 25, 2010. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

---

FOR: Corey Dabney for the United States Senate 2010

FEC ID#: C00468728

AF#: 2162

PAYMENT DUE DATE: October 25, 2010

PAYMENT AMOUNT DUE: \$3,160

11092670459

FEC OFFICE OF  
ADMIN REVIEW

2010 NOV -1 A 10:42

October 22, 2010

Federal Election Commission  
Office of Administrative Review  
999 E. Street, NW  
Washington DC 20463  
AF # 2162

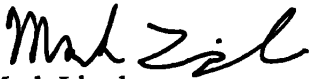
Dear FEC,

The activity of the Corey Dabney for United States Senate 2010, the current level of activity for the quarter in question, June 30, 2010 was 63,444.57.

Additionally, I am not sure at this time that this report was needed to be filed. The campaign is not on the ballot. Additionally, since the beginning of the year 2010, the campaign has been financed 100% by Mr. Dabney.

I sincerely request that you waive the penalty.

Sincerely



Mark Lingle  
Corey Dabney Campaign for United State Senate 2010.  
630-699-0081

11092670460





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Via First Class Mail

November 1, 2010

Mark Lingle, in his official capacity as Treasurer  
24 South Stolp Avenue  
Aurora, IL 60506

C00468728  
AF# 2162

Dear Mr. Lingle:

On November 1, 2010, the Commission received your written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in black ink, appearing to read "Dayna C. Brown".

Dayna C. Brown  
Reviewing Officer  
Office of Administrative Review

11092670461

**FEC OFFICE OF  
ADMIN REVIEW**

**2010 NOV -3 A 7 30**

**Date: November 2, 2010**

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW  
CHALLENGE RECEIVED**

**AF#: 2162**

**Committee Name: Corey Dabney for the United States Senate 2010**

**Committee ID#: C00468728**

**Committee Address (if different than in RTB letter): N/A**

**Treasurer Name (if different than in RTB finding): N/A**

**Attachments:**

**Copy of RTB Circulation Report, dated September 13, 2010 and RTB  
Certification, dated September 15, 2010 (Y/N): N**

**Attachment #: N/A**

**Proof of Delivery (to be forwarded at later date if not yet received) (Y/N): Y**

**Attachment #: 1**

**Other Relevant Telecoms (Y/N): N**

**Attachment #: N/A**

**Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N**

**Attachment #: N/A**

**RAD Staff Declaration (Y/N): Y**

**-2010 July Quarterly Report Prior Notice, dated June 21, 2010.**

**-RTB Letter, dated September 21, 2010.**

**Attachment #: 3**

**Other RAD Information: (Y/N): Y**

**Attachment#: 4**


11092670462

## DECLARATION OF NATALIYA IOFFE

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent to Corey Dabney for the United States Senate 2010:
  - A) Prior Notice, dated June 21, 2010, referencing the 2010 July Quarterly Report  
(sent via electronic mail to: COMMITTEE@COREY2010.COM);
  - B) Non-Filer Letter, dated August 3, 2010, referencing the 2010 July Quarterly Report;
  - C) Reason-to-Believe Letter, dated September 21, 2010, referencing the 2010 July Quarterly Report.

I hereby certify that I have searched the Commission's public records and find that Corey Dabney for the United States Senate 2010 filed the 2010 July Quarterly Report with the Commission on August 4, 2010.

3. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 2nd day of November, 2010.

  
Nataliya Ioffe  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission

**Delivery Notification**

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

**Tracking Number:** 1Z WF5 860 A2 9634 017 8  
**Reference Number(s):** RAD  
**Service:** NEXT DAY AIR  
**Special Instructions:** ADULT SIGNATURE REQUIRED  
**Weight:** 1.00 Lb  
**Shipped/Billed On:** 09/21/2010  
**Delivered On:** 09/30/2010 9:53 A.M.  
**Delivered To:**  
AURORA, IL, US 60503  
**Signed By:** MILLER  
**Location:** RESIDENTIAL

Thank you for giving us this opportunity to serve you.

Sincerely,  
UPS

Tracking results provided by UPS: 09/30/2010 11:54 A.M. ET

Attachment 1

11092670464



# JULY QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES  
PARTIES AND PACS

June 21, 2010

## CURRENT REPORT DUE

REPORT	CLOSE OF BOOKS <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
July Quarterly	06/30/10	07/15/10	07/15/10

## REPORTING SCHEDULE FOR REMAINDER OF 2010

REPORT	CLOSE OF BOOKS <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
October Quarterly	09/30/10	10/15/10	10/15/10
Pre-General <sup>2</sup>	10/13/10	10/18/10	10/21/10
Post-General	11/22/10	12/02/10	12/02/10
Year-End	12/31/10	01/31/11	01/31/11

Supplemental Filing Information is available:

- Congressional Committees
- Parties and PACs

<sup>1</sup> A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

<sup>2</sup> **Parties and PACs:** required only if committee makes contributions or expenditures in connection with the general election during the reporting period.

**Congressional Committees:** campaign committees of a candidate who participates in the general election must file pre-and post-general election reports.

## 2010 SUPPLEMENTAL FILING INFORMATION CONGRESSIONAL COMMITTEES

**PLEASE NOTE:** The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

### WHO MUST FILE

Principal campaign committees of congressional candidates <sup>1</sup> (including unopposed candidates and candidates whose names do not appear on the ballot) must file Quarterly Reports in 2010. <sup>2</sup>

Campaigns that raise or spend more than \$5,000 for the 2010 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2010, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 11 CFR 104.5(a)(2).

Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

### METHODS OF FILING REPORTS

#### Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e).

- Web Page: Electronic Filing Page
- Campaign Guide for Congressional Candidates and Committees (Candidate Guide), pp. 82-84 [PDF]

#### Paper Filing - Meeting the Filing Deadline

Paper Report filing options -- Registered, Certified or Overnight or First Class Mail. See 11 CFR 104.5(e).

- Web Page: Link to Paper Forms (for downloading and printing)
- Candidate Guide, p. 81 [PDF]

---

<sup>1</sup> Generally, an individual becomes a candidate for federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions or expenditures. If the campaign has not crossed the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a).

<sup>2</sup> If a candidate has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 3Z [PDF].

## PRE- AND POST-ELECTION REPORTS

A committee whose candidate participates in a 2010 state primary, nominating convention or runoff election -- even if unopposed -- must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The campaign committee of a candidate who participates in the general election must file pre- and post-general election reports.

See 11 CFR 104.5(a)(2).

- Web Page: 2010 Congressional Pre-Primary Reporting Dates
- The Record: January 2010 issue [PDF]
- Candidate Guide, pp. 79-80 [PDF]

## 48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives any contribution (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee) of \$1,000 or more per source, during the period less than 20 days but more than 48 hours before any election in which the candidate is running.

The notices must reach the appropriate federal filing office within 48 hours of the committee's receipt of the contribution(s). Campaign committees that file electronically MUST submit their 48-hour notices electronically. See 11 CFR 104.5(f).

- Web Page: Electronic Filing Page
- Web Page: Link to Paper Forms (for downloading and printing)
- Form 6 Fax numbers
  - Senate campaigns (Secretary of the Senate): (202) 224-1851
  - House Campaigns (FEC): (202) 219-0174
- Campaign Guide: Candidate Guide, p. 80 [PDF]

## COMPLIANCE

### Treasurer Responsibility

Committee Treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings [PDF]
- Candidate Guide, p. 7 [PDF]

### Administrative Fine Program

Political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- and non-filers).<sup>3</sup> See 11 CFR 111.30.

- Web Page: Administrative Fine Program
- Candidate Guide, pp. 81-82 [PDF]

<sup>3</sup> Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$17,600, even for first-time violations.

### DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Campaign committees must file FEC Form 3L [PDF] if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,600 during the applicable reporting period (see page 1 of this notice). See 11 CFR 104.22 and 110.17(e).

- The Record: March 2009 issue [PDF]

### 2010 REPORTING SCHEDULE

- Web Page: 2010 Reporting Dates Page
- The Record: January 2010 issue [PDF]
- Candidate Guide, p. 79 [PDF]

### IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the 2001 anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate.<sup>4</sup> This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail or delivery service, and hand delivery.

---

<sup>4</sup> Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via US mail.

---

**FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100**



JEFF@JEFFPERRYFORCONGRESS.COM  
EVERS4CONGRESS@CENTURYTEL.NET  
WWW.BEAMAN4CONGRESS@GARGRAY.COM  
DELAWAREWC@YAHOO.COM  
CLARK@CLARKTAYLORFORCONGRESS.COM  
ELIJAHFORCONGRESS@GMAIL.COM  
TURNERFORCONGRESS@YAHOO.COM  
ADMIN@JOECAMACHO.COM  
RAB@BANCIELLA.COM  
VISCLOSKY4CONG@AOL.COM  
DLGOULD@DAVIDGOULDCOMPANY.COM  
DSMITH@DSMITHFORCONGRESS.COM  
INFO@LONNIESPIVAK.COM  
WOOLARDEORCONGRESS@GMAIL.COM  
LYNDRIO692@AOL.COM  
RLABRADOR@HOTMAIL.COM  
ROBERTBURTONFORCONGRESS@YAHOO.COM  
BBEAN297@AOL.COM  
AMBER@JEREMYCLOWARD.COM  
COMMITTEE@COREY2010.COM  
ANDREW@CURRANFORSENATE.COM  
COMPLIANCE@TOMFOLEY2010.COM  
DBISHOP9@GMAIL.COM  
INFO@TARRYLCLARK.GDFI  
RAGGIOFORCONGRESS@GMAIL.COM  
JAMES@JCT3LAW.COM  
GSCOTTMACN@HOTMAIL.COM  
MERLIN@MERLINFROYD.COM  
VOTE@JOHNANNARUMMA.COM  
RANDYARRINGTONFORCONGRESS@YAHOO.COM  
DEAN@MADERE2010.ORG  
JPAC@JIMMCCORMICKFORCONGRESS.COM  
LEVANGELISTA@WADSNET.COM  
ANDYLYONS@ANDYLYONSFORCONGRESS.COM  
JOHN@JOHNDAWSONFORCONGRESS.COM  
LARRY@LARRYBILL.COM  
PHIL@SEATTLEQFO.COM  
CONGRESSMAN@KENMCKENNA.COM  
LOFTMANFORCONGRESS@GMAIL.COM  
TREASURERJOSUELAROSE@LIVE.COM  
BRYAN@BINNIE2010.COM  
RICKMARTINFORCONGRESS@GMAIL.COM  
DLPARKER25@YAHOO.COM  
INFO@MADOREFORCONGRESS.COM  
LOU@VOTEHUDDLESTON.COM  
GREG@COWANFORCONGRESS.COM  
MEGAN@TRIVEDIFORCONGRESS.COM  
DOUGPURL@PEOPLEPC.COM  
DIRECTOR@GENEGOODMAN.COM  
RGREENHECK@DRGREENHECK4SENATOR.COM  
REEVESMEDIA@NCRRBIZ.COM  
RICK@SCONTRAS2010.COM



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 3, 2010

RQ-7

MARK LINGLE, TREASURER  
COREY DABNEY FOR THE UNITED STATES SENATE 2010  
24 SOUTH STOLP AVENUE  
AURORA, IL 60506

IDENTIFICATION NUMBER: C00468728

REFERENCE: JULY QUARTERLY REPORT 4/1/2010 - 6/30/2010

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED.

IT IS IMPORTANT THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEDERAL ELECTION COMMISSION, 999 E STREET, N.W., WASHINGTON, D.C. 20463 FOR HOUSE CANDIDATES, OR THE SECRETARY OF THE SENATE, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510 (MAILING ADDRESS: OFFICE OF PUBLIC RECORDS, P.O. BOX 2517, ALEXANDRIA, VA 22301), FOR SENATE CANDIDATES. PLEASE NOTE THAT ELECTRONIC FILERS MUST SUBMIT THEIR REPORTS ELECTRONICALLY, AS PER 11 CFR §104.18. A COPY OF THE REPORT MUST ALSO BE FILED WITH THE SECRETARY OF STATE OR EQUIVALENT STATE OFFICER UNLESS THE STATE IS EXEMPT FROM THE FEDERAL REQUIREMENT TO RECEIVE AND MAINTAIN PAPER COPIES. YOU CAN VERIFY THE COMMISSION'S RECEIPT OF ANY DOCUMENTS SUBMITTED BY YOUR COMMITTEE ON THE FEC WEBSITE AT WWW.FEC.GOV.

THE FAILURE TO TIMELY FILE THIS REPORT MAY RESULT IN CIVIL MONEY PENALTIES, AN AUDIT OR LEGAL ENFORCEMENT ACTION. THE CIVIL MONEY PENALTY CALCULATION FOR LATE REPORTS DOES NOT INCLUDE A GRACE PERIOD AND BEGINS ON THE DAY FOLLOWING THE DUE DATE FOR THE REPORT. DUE TO HEIGHTENED SECURITY SCREENING MEASURES, DELIVERY OF MAIL BY THE US POSTAL SERVICE MAY BE DELAYED. THE COMMISSION RECOMMENDS THAT YOU SUBMIT YOUR REPORT VIA OVERNIGHT DELIVERY OR COURIER SERVICE.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT CHRISTOPHER RITCHIE AT OUR TOLL FREE NUMBER (800)424-9530. HER DIRECT LOCAL NUMBER IS (202)694-1130.

SINCERELY,

*Debbie Chacona*

DEBBIE CHACONA  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION (RAD)

Attachment 3

100304013892670470



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

TELEVISION  
SECRETARIAT

2010 DEC 22 P 3:06

**SENSITIVE**

December 22, 2010

**MEMORANDUM**

To: The Commission

Through: *for* Alec Palmer *Amn*  
Acting Staff Director

From: Patricia Carmona *PC*  
Chief Compliance Officer

Dayna C. Brown *DOB*  
Reviewing Officer  
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2162 – Corey Dabney for the United States Senate and Mark Lingle, in his official capacity as Treasurer (C00468728)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

11092670471



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 22, 2010

**REVIEWING OFFICER RECOMMENDATION  
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2162- Corey Dabney for the United States Senate 2010 and Mark Lingle, in his official capacity as Treasurer (C00468728)

**Summary of Recommendation**

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$3,160 civil money penalty.

**Reason-to-Believe Background**

On September 15, 2010, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2010 July Quarterly Report and made a preliminary determination that the civil money penalty was \$3,160 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on September 21, 2010 to notify them of the Commission's RTB finding and civil money penalty. On September 29, RAD received an exception notice from UPS and after receiving an alternate address for the Treasurer, provided that address to UPS. The letter was successfully delivered on September 30.

**Legal Requirements**

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee of a candidate shall file a report for the period ending June 30 no later than July 15. 2 U.S.C. § 434(a)(4)(A)(i) and 11 C.F.R. § 104.5(a)(1)(i). All reports required to be filed by the principal campaign committee of a candidate for the office of U.S. Senator shall be filed with the Secretary of the Senate. Reports sent by first class mail must be received by the close of business on the filing date to be timely filed. 2 U.S.C. § 434(a)(5), and 11 C.F.R. §§ 100.19(b) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

**Respondents' Challenge**

On November 1, 2010, the Commission received the written response ("challenge") from the Treasurer requesting a waiver of the penalty. The Treasurer states that he is unsure if the report was required, as the campaign did not appear on the ballot. A level of activity of \$63,444.57 is provided as the level of activity for the quarter in question and the Treasurer notes that the campaign has been fully financed by the Candidate since the beginning of 2010.

**Analysis**

Although the Treasurer states that he is unsure as to whether they were required to file the report since the campaign was not on the ballot, because the respondents did not file a Termination Report on or before July 15, 2010, indicating that the Committee will no longer receive contributions or make disbursements; that there are no outstanding debts or obligations;

11092670472

and the purpose for which any residual funds will be used, they were required to file the July Quarterly Report. 11 C.F.R. § 102.3 and 2 U.S.C. § 433(d).

The respondents were notified of this requirement to file and the due date of the report, before and after the filing deadline. On June 21, 2010, the Commission sent the Prior Notice for the 2010 July Quarterly Report to "committee@corey2010.com," the email address listed on their Statement of Organization. Page 2 of the Prior Notice states that "Principal campaign committees of congressional candidates (including unopposed candidates and candidates whose names do not appear on the ballot) must file Quarterly Reports in 2010." On August 3, 2010, the Commission sent the respondents a non-filer notice at their address of record, informing them of their failure to file the report. The July Quarterly Report was filed on August 4, 2010, 20 days late.

The challenge contends that their level of activity for the July Quarterly Report was \$63,444.57. For purposes of Administrative Fine penalty calculations, the level of activity for an authorized committee is defined as the total amount of receipts and disbursements for the period covered by the late report. 11 C.F.R § 111.43(d)(3)(i). Loans made, endorsed or guaranteed by the Candidate are categorized as receipts. 11 C.F.R § 104.3(a)(3)(vii). Their report discloses \$48,000 in receipts (loans from the Candidate) and \$63,444 in disbursements, resulting in a level of activity of \$111,444, as was calculated at RTB. Using the schedule of penalties at 11 C.F.R § 111.43(a) for a non-election sensitive report filed 20 days late, for respondents with no prior violations, and the level of activity bracket of \$100,000 - \$149,999.99, the civil money penalty is  $[\$660 + (125 \times 20)] \times [1 + (.25 \times 0)]$  or \$3,160, and was, therefore, correctly calculated at RTB.

Their challenge fails to address any of the three valid grounds at 11 C.F.R § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$3,160.

#### **OAR Recommendations**

- (1) Adopt the Reviewing Officer recommendation for AF# 2162 involving Corey Dabney for the United States Senate 2010 and Mark Lingle, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2162 that Corey Dabney for the United States Senate 2010 and Mark Lingle, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$3,160; and
- (3) Send the appropriate letter.

Reviewing Officer: Dayna C. Brown

#### **Attachments**

- Attachment 1 – Challenge Received from Respondents
- Attachment 2 – Declaration from RAD
- Attachment 3 – Declaration from OAR

**DECLARATION OF DAYNA C. BROWN**

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) The 2010 July Quarterly Report, covering the period ending June 30, is due July 15, 2010. Senate principal campaign committees must file reports with the Secretary of the Senate. Reports sent by first class mail are considered filed on the date of receipt.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are true and accurate copies of Page 1 of the Summary Page, Pages 3 and 4 of the Detailed Summary Page, 3 pages of Schedule C, the envelope, and the Senate Office of Public Records postmark sheet for the 2010 July Quarterly Report filed via first class mail by Corey Dahney for the United States 2010 and Mark Lingle, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from April 1 through June 30, 2010, was sent on July 30, and received on August 4, 2010. Line 16, Column A lists \$48,000 in total receipts; Line 22, Column A lists \$63,444.57 in total disbursements; and Schedule C lists a total of \$48,000 in loans from Corey Dabney for the reporting period.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 22<sup>nd</sup> day of December, 2010.



Dayna C. Brown  
Reviewing Officer  
Office of Administrative Review  
Federal Election Commission

11092670474

11092670475

FEC  
FORM 3

REPORT OF RECEIPTS  
AND DISBURSEMENTS  
For An Authorized Committee

SECRETARY OF THE SENATE

10 AUG -4 PM 12:42

Office Use Only

1. NAME OF  
COMMITTEE (in full)

TYPE OR PRINT

Example: If typing, type  
over the lines.

12FE4M5

GOREY, DABNEY, FOR UNITED STATES SENATE 2010

ADDRESS (number and street)

124 S. STOLIP AVE

Check if different  
than previously  
reported. (ACC)

AURORA

IL

60506

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

STATE DISTRICT

C 00468728

3. IS THIS  
REPORT

X

NEW  
(N)

OR

AMENDED  
(A)

IL

00

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

X July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the  
State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the  
State of

5. Covering Period

04 01 2010

through

06 30 2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

MARK R. LINGLE

Signature of Treasurer

Mark Lingle

Date

07 30 2010

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 5437g.

Office  
Use  
Only

FEC FORM 3  
(Revised 02/2003)

10020593047

**DETAILED SUMMARY PAGE  
of Receipts**

FEC Form 3 (Revised 12/2003)

Page 3

Write or Type Committee Name

COREY DABNEY FOR THE UNITED STATES SENATE 2010

Report Covering the Period:

From:

04 01 2010

To:

06 30 2010

**I. RECEIPTS**

**COLUMN A  
Total This Period**

**COLUMN B  
Election Cycle-to-Date**

**11. CONTRIBUTIONS (other than loans) FROM:**

(a) Individuals/Persons Other Than  
Political Committees

(i) Itemized (use Schedule A).....

2,450.00

(ii) Unitemized.....

726.08

(iii) TOTAL of contributions  
from individuals ▶

3,176.08

(b) Political Party Committees.....

.00

(c) Other Political Committees  
(such as PACs).....

.00

(d) The Candidate.....

3750.00

(e) TOTAL CONTRIBUTIONS  
(other than loans)

6,926.08

(add Lines 11(a)(iii), (b), (c), and (d))..

**12. TRANSFERS FROM OTHER  
AUTHORIZED COMMITTEES.....**

.00

**13. LOANS:**

(a) Made or Guaranteed by this  
Candidate.....

.00

(b) All Other Loans.....

48,000.00

(c) TOTAL LOANS

48,000.00

(add Lines 13(a) and (b)).....

**14. OFFSETS TO OPERATING  
EXPENDITURES**

(Refunds, Rebates, etc.).....

.00

**15. OTHER RECEIPTS**

(Dividends, Interest, etc.).....

.00

**16. TOTAL RECEIPTS (add Lines  
11(e), 12, 13(c), 14, and 15)  
(Carry Total to Line 24, page 4)..... ▶**

48,000.00 103,080.00

11092670476

1002053043



**DETAILED SUMMARY PAGE**  
of Disbursements

FEC Form 3 (Revised 02/2003)

Page 4

**II. DISBURSEMENTS**

**COLUMN A**  
Total This Period

**COLUMN B**  
Election Cycle-to-Date

17. OPERATING EXPENDITURES.....	63,444.57	108,054.85
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	.00	.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	.00	.00
(b) Of All Other Loans.....	.00	.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	.00	.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	.00	.00
(b) Political Party Committees.....	.00	.00
(c) Other Political Committees (such as PACs).....	.00	.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	.00	.00
21. OTHER DISBURSEMENTS.....	.00	.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ▶	63,444.57	108,054.85

**III. CASH SUMMARY**

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	15,895.80
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	48,000.00
25. SUBTOTAL (add Line 23 and Line 24).....	63,895.80
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	63,444.57
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	451.23

**SCHEDULE C (FEC Form 3)**

**LOANS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

PAGE OF

FOR LINE NUMBER:  
(check only one)

13a  
13b

NAME OF COMMITTEE (In Full)

COREY DABNEY FOR THE UNITED STATES SENATE 2010

LOAN SOURCE Full Name (Last, First, Middle Initial)

COREY DABNEY, PERSONAL FUNDS

Elector:

☐ Primary

☒ General

☐ Other (specify) \_\_\_\_\_

Mailing Address

2580 NEEDHAM COURT

City

State

ZIP Code

AURORA

IL

60503

Original Amount of Loan

Cumulative Payment To Date

Balance Outstanding at Close of This Period

19,000.00

.00

19,000.00

TERMS

Date Incurred

Date Due

Interest Rate

Secured:

04 30 2010

NONE

% (apr)

☐ Yes

☒ No

List All Endorsers or Guarantors (if any) to Loan Source

1. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

2. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

3. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

4. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

SUBTOTALS This Period This Page (optional)

TOTALS This Period (last page in this line only)

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

11092670478

10020593059

**SCHEDULE C (FEC Form 3)  
LOANS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

PAGE 1 OF 1  
FOR LINE NUMBER:  
(check only one) ☐ 13a  
☒ 13b

NAME OF COMMITTEE (in Full)

COREY DABNEY FOR THE UNITED STATES SENATE 2010

LOAN SOURCE Full Name (Last, First, Middle Initial)

COREY DABNEY, PERSONAL FUNDS

Section:

☐ Primary

☒ General

☐ Other (specify) \_\_\_\_\_

Mailing Address

2580 NEEDHAM COURT

City

AURORA

State

IL

ZIP Code

60503

Original Amount of Loan

22,700.00

Cumulative Payment To Date

.00

Balance Outstanding at Close of This Period

22,700.00

TERMS

Date Incurred

05 31 2010

Date Due

NONE

Interest Rate

% (apn)

Secured:

☐ Yes ☒ No

List All Endorsers or Guarantors (if any) to Loan Source

1. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

2. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

3. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

4. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

SUBTOTALS This Period This Page (optional) \_\_\_\_\_

TOTALS This Period (last page in this line only) \_\_\_\_\_

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

11092670479

10020593060

**SCHEDULE C (FEC Form 3)**  
**LOANS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

PAGE 1 OF 1  
FOR LINE NUMBER:  
(check only one) ☐ 13a  
☐ 13b

NAME OF COMMITTEE (in full)

**COREY DABNEY FOR THE UNITED STATES SENATE 2010**

LOAN SOURCE Full Name (Last, First, Middle Initial)

**COREY DABNEY, PERSONAL FUNDS**

Mailing Address

**2580 NEEDHAM COURT**

City

**AURORA**

State

**IL**

ZIP Code

**60503**

Election:

☐ Primary

☒ General

☐ Other (specify) \_\_\_\_\_

Original Amount of Loan

**6,300.00**

Cumulative Payment To Date

**.00**

Balance Outstanding at Close of This Period

**6,300.00**

TERMS

Date Incurred

**06 30 2010**

Date Due

**NONE**

Interest Rate

% (april)

Secured:

☐ Yes ☒ No

List All Endorsers or Guarantors (if any) to Loan Source

1. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount  
Guaranteed  
Outstanding:

2. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount  
Guaranteed  
Outstanding:

3. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount  
Guaranteed  
Outstanding:

4. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount  
Guaranteed  
Outstanding:

SUBTOTALS This Period This Page (optional) \_\_\_\_\_

TOTALS This Period (last page in this line only) \_\_\_\_\_

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

11092670480

10020593051

-NGLC

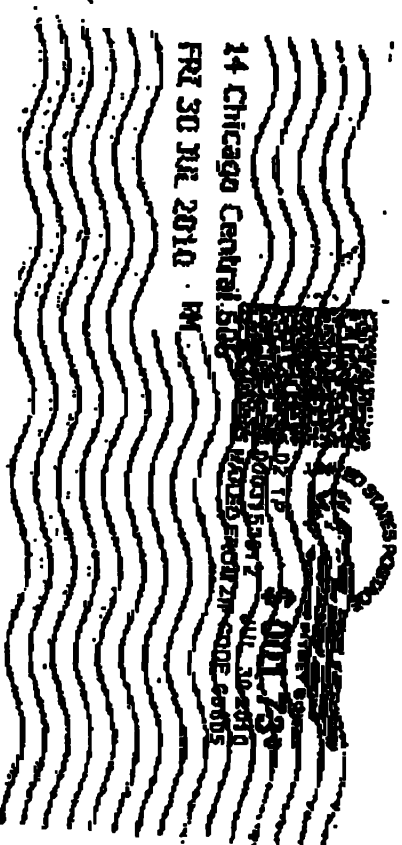
CLAND DR.

LC. 60503

OFFICE OF PUBLIC RECORDS  
P.O. Box 2517

ALEXANDRIA VA. 22304-0517

SCREENED  
BY THE SENATE  
POST OFFICE



11092670481

10020593062

VANCY ERICKSON  
SECRETARY

DANA K. MEDALLUM  
SUPERINTENDENT

HARY SENATE OFFICE BUILDING  
SUITE 333  
WASHINGTON, DC 20516-7116  
PHONE (202) 224-3322

# United States Senate

OFFICE OF THE SECRETARY

OFFICE OF PUBLIC RECORDS

THE PRECEDING DOCUMENT WAS:

HAND DELIVERED \_\_\_\_\_

USPS FIRST CLASS MAIL 07-30-10  
Date of Receipt  
Postmark

USPS REGISTERED/CERTIFIED \_\_\_\_\_  
Postmark

USPS PRIORITY MAIL \_\_\_\_\_  
Postmark

DELIVERY CONFIRMATION OR SIGNATURE CONFIRMATION LABEL ☐

USPS EXPRESS MAIL \_\_\_\_\_  
Postmark

## OVERNIGHT DELIVERY SERVICE:

	SHIPPING DATE	NEXT BUSINESS DAY DELIVERY
FEDERAL EXPRESS	_____	<input type="checkbox"/>
UPS	_____	<input type="checkbox"/>
DHL	_____	<input type="checkbox"/>
AIRBORNE EXPRESS	_____	<input type="checkbox"/>

RECEIVED FROM FEDERAL ELECTION COMMISSION \_\_\_\_\_  
Date of Receipt

POSTMARK ILLEGIBLE ☐ NO POSTMARK ☐

FAX \_\_\_\_\_  
Date of Receipt

OTHER \_\_\_\_\_  
Date of Receipt or Postmark

PREPARER RD DATE PREPARED 08-04-10

11092670482

10020595063



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

December 28, 2010

Mark Lingle, in his official capacity as Treasurer  
Corey Dabney for the United States Senate 2010  
24 South Stolp Avenue  
Aurora, IL 60506

C00468728  
AF# 2162

Dear Mr. Lingle:

On September 15, 2010, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Corey Dabney for the United States Senate 2010 and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to timely file the 2010 July Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$3,160 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 1, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

Dayna C. Brown  
Reviewing Officer  
Office of Administrative Review

Attachment

11092670483



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2011 JAN 12 P 3:21

January 12, 2011

MEMORANDUM

**SENSITIVE**

To: The Commission

Through: Alec Palmer *AP*  
Acting Staff Director

From: Patricia Carmona *PC*  
Chief Compliance Officer

Dayna C. Brown *DCB*  
Reviewing Officer  
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2162 – Corey Dabney for the United States Senate 2010 and Mark Lingle, in his official capacity as Treasurer (C00468728)

On September 15, 2010, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2010 July Quarterly Report and also made a preliminary determination that the civil money penalty was \$3,160 based on the schedule of penalties at 11 C.F.R. § 111.43.

On November 1, 2010, the Office of Administrative Review received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation dated December 22, 2010 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a \$3,160 civil money penalty because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

11092670484



### **OAR Recommendations**

- (1) Adopt the Reviewing Officer recommendation for AF# 2162 involving Corey Dabney for the United States Senate 2010 and Mark Lingle, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2162 that Corey Dabney for the United States Senate 2010 and Mark Lingle, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$3,160; and
- (3) Send the appropriate letter.

11092670485

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Final Determination Recommendation - ) AF 2162  
Corey Dabney for the United States )  
Senate 2010 and Mark Lingle, in his )  
official capacity as Treasurer )  
(C00468728) )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on January 28, 2011, the Commission decided by a vote of 6-0 to take the following actions in AF #2162:

1. Adopt the Reviewing Officer recommendation for AF# 2162 involving Corey Dabney for the United States Senate 2010 and Mark Lingle, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 2162 that Corey Dabney for The United States 2010 and Mark Lingle, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$3,160.
3. Send the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

January 28, 2011  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

11092670486



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 4, 2011

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mark Lingle, in his official capacity as Treasurer  
Corey Dabney for the United States Senate 2010  
24 South Stolp Avenue  
Aurora, IL 60506

C00468728  
AF# 2162

Dear Mr. Lingle:

On September 15, 2010, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Corey Dabney for the United States Senate 2010 and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) for failing to timely file the 2010 July Quarterly Report. By letter dated September 21, 2010, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$3,160 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On November 1, 2010, the Office of Administrative Review received the written response from you, in your official capacity as Treasurer, challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Corey Dabney for the United States Senate 2010 and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty in the amount of \$3,160 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on December 28, 2010.

On January 28, 2011, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Corey Dabney for the United States Senate 2010 and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$3,160. It is based on the same factors used to calculate the civil money penalty at RTB. A copy of the final determination recommendation is attached.

**If You Choose to Appeal the Final Determination and/or Civil Money Penalty**

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or treasurer reside, or transact business, requesting that the final

11092670487

determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). The failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

### **If You Choose Not to Pay the Civil Money Penalty and Not to Appeal**

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 et seq. If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.


### **If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the civil money penalty, send the enclosed form and payment to the address on page 3 within 30 days of receipt of this letter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Dayna Brown on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

  
Cynthia L. Bauerly  
Chair

Attachment

-----

## ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$3,160 for the 2010 July Quarterly Report.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
PO Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC # 979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

### PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

### PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

-----

FOR: Corey Dabney for the United States Senate 2010

FEC ID#: C00468728

AF#: 2162

PAYMENT AMOUNT DUE: \$3,160

11092670489

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058  
SEQ# 001 \$ 0000158000 BA# 1 09-12-11 20 3



2162

21 780 9991

DATE 8/27/11

Federal Election Commission \$ 1,580.00

PAY TO THE ORDER OF One Thousand Five Hundred Eighty 2 DOLLARS

CHASE JPMorgan Chase Bank, N.A. www.Chase.com

MEMO FINE PAYMENT

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058  
SEQ# 001 \$ 0000158000 BA# 1 08-03-11 20 9



21 780 9990

DATE 7/20/11

COREY DRAKE FOR THE US SENATE 2010

Federal Election Commission \$ 1,580.00

PAY TO THE ORDER OF One Thousand Five Hundred Eighty 2 DOLLARS

CHASE JPMorgan Chase Bank, N.A. www.Chase.com

MEMO FINE PAYMENT

11092670490

usbancorp.  
The New America Company

usbancorp.  
The New America Company

11092670491

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2162



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2162

DATE SCANNED 10-5-11

SCANNER NO. 2

SCAN OPERATOR JMP

11092670492